

Notice of Allowability

Application No.

09/845,041

Examiner

Daniel L. Greene

Applicant(s)

HILLEGASS ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/15/2005 and Telephone Interview 8/9/2005.
2. ☒ The allowed claim(s) is/are 2, 12 and 32-37.
3. ☒ The drawings filed on 10/16/2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/9/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

- 1.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephanie J. James on 8/9/2005.

Canceled Claims

Claims 3, 5-11, 14-18 and 22-31 are canceled.

Examiner amended claim 12 and dependent claims

12. A system for distributing product licenses comprising:
 - a) a server connected to a vendor computer and to a user computer for data connection there between;
 - b) means for receiving from the vendor a request for product registration where said request includes a product name and a vendor identifier;
 - c) means for assigning a unique product identifier and an encryption key to said product;

- d) ~~means for transmitting to the vendor a product registration, said registration including said product identifier and said encryption key;~~ means for assigning a user identifier;
- e) d) means for transmitting to the vendor a product registration, said registration including said product identifier and said encryption key;
- f) e) means for receiving from the user via said data connection a request for a product license, said request including ~~a previously assigned~~ said user identifier and the product identifier;
- g) f) means for transmitting to the user a product license including a previously assigned product identifier, a user identifier and a decryption key that mates with said encryption key; and
- h) g) ~~a database storing:~~
- ~~(i) user license records, each said user license record including a user identifier and a system identifier; and~~
 - ~~(ii) product license records, each said product license record including a user identifier, a product identifier and a decryption key.~~
- a relational database for storing vendor records, product records, user records and product license records, and for linking the product record to the vendor record via the vendor identifier, and for linking each product license to a user record via the user identifier.

32. (New – analogous to original claim 9) A system according to claim 12, wherein each said user record includes a user name.

33. (New – analogous to original claim 10) A system according to claim 12, wherein each said user record includes a password.

34. (New – analogous to original claim 11) A system according to claim 12, wherein each said user record includes the user's credit card number.

35. (New – analogous to original claim 9) A method according to claim 2, wherein each said user record includes a user name.
36. (New – analogous to original claim 10) A method according to claim 2, wherein each said user record includes a password.
37. (New – analogous to original claim 11) A method according to claim 2, wherein each said user record includes the user's credit card number.

The following is an examiner's statement of reasons for allowance:

As per claims 2 and 12, the closest prior art of record, Spagna et al. US 6,587,837 B1, and Wyman, US 5,438,508 has some way of delivering or providing a product license to a user's device or computer and this product license is queried, tested or accessed to unlock restricted content or to obtain content. However, taken either individually or in combination with other prior art of record fails to teach or suggest a product license that is not device -specific i.e. tied to a specific computer for use or, domain-specific i.e. the license can not be used on a computer that is not connected to the original customer's server.

The specific allowable feature, which distinguishes the present invention over the prior art is the use of a relational database that has vendor records, product records, user records and product license records, with the specific type of records i.e. product record, linked to the vendor record via the vendor identifier and each product license

linked to a user record via the user identifier. The prior art does not teach of the specific combination and relationship of the specific type of records and licenses limitations.

3. Claims 35-37 and 32-34 are dependent upon Claims 2 and 12 respectively and thus have all the limitations of Claims 2 and 12 and are allowable for those reasons.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wyman-US 5,438,508- LICENSE DOCUMENT INTERCHANGE FORMAT FOR LICENSE MANGEMENT SYSTEM.

6. Wyman-US 5,745,879- METHOD AND SYSTEM FOR MANAGING EXECUTION OF LICENSED PROGRAMS.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
Art Unit 3621

8/9/2005



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600